

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
 126181-1059

Total Pages in this Submission  
 213

16711 U.S. PTO  
 08/20/03

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application  
 Washington, D.C. 20231

03515 U.S. PTO  
 10/644355

08/20/03

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**CIRCULAR PERMUTEINS OF FLT3 LIGAND**

and invented by:

Charles A. McWherter	Susan L. Woulfe
John P. McKearn	John C. Minnerly
Philip R. Streeter	
Nancy I. Minster	
Yiqing Feng	
Nicholas R. Staten	

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 08/955,090

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
  
2.  Specification having 143 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
126181-1059

Total Pages in this Submission  
213

**Application Elements (Continued)**

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)
  - a.  Formal Number of Sheets 5
  - b.  Informal Number of Sheets \_\_\_\_\_
4.  Oath or Declaration
  - a.  Newly executed (*original or copy*)  Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
  - c.  With Power of Attorney  Without Power of Attorney
  - d.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9.  Assignment Papers (*cover sheet & document(s)*) **(copy)**
10.  37 CFR 3.73(B) Statement (*when there is an assignee*)
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Certificate of Mailing  
 First Class  Express Mail (*Specify Label No.*): EV 169252267 US

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
126181-1059

Total Pages in this Submission  
213

**Accompanying Application Parts (Continued)**

17.  Additional Enclosures (please identify below):

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
126181-1059

Total Pages in this Submission  
213

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	35	- 20 =	15	x \$18.00	\$270.00
Indep. Claims	18	- 3 =	15	x \$84.00	\$1,260.00
Multiple Dependent Claims (check if applicable)					\$0.00
				<b>BASIC FEE</b>	<b>\$750.00</b>
OTHER FEE (specify purpose)					\$0.00
				<b>TOTAL FILING FEE</b>	<b>\$2,280.00</b>

A check in the amount of **\$2,280.00** to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. **07-0153** as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



*Carol M. Nielsen*  
Signature

Carol M. Nielsen  
Reg. No. 37,676  
Gardere Wynne Sewell LLP  
1000 Louisiana, Suite 3400  
Houston, Texas 77002  
713-276-5383 phone  
713-276-6383 fax  
cneilsen@gardere.com

Dated: *Aug. 20, 2003*

cc:

## CERTIFICATE OF MAILING

I certify that this correspondence is being deposited with the U.S. Postal Service Express Mail delivery service under 37 C.F.R. 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

William Asher

Signature

William Asher

Name of Person Signing

EV 169252267 US

"Express Mail" Mailing Label Number

Date of Signature: August 20, 2003

HOUSTON 639750v1

16711 U.S. PTO  
08/20/03

<b>FEE TRANSMITTAL for FY 2003</b>		<b>Complete if Known</b>	
		Application Number	To Be Assigned
		Filing Date	August 20, 2003
		First Named Inventor	McWherter
		Examiner Name	To Be Assigned
		Group Art Unit	To Be Assigned
		Attorney Docket No.	126181-1059
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)		<b>\$2,280.00</b>	

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																				
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>07-0153</b> Deposit Account Name		<b>3. ADDITIONAL FEES</b> Large Entity   Small Entity																																				
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>Fee Code</b> <b>Fee (\$)</b> <b>Fee Code</b> <b>Fee (\$)</b> <b>Fee Description</b> 1051 130 2051 65 Surcharge - late filing fee or oath 1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet 1053 130 1053 130 Non - English specification 1812 2,520 1812 2,520 For filing a request for ex parte reexamination 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action 1251 110 2251 55 Extension for reply within first month 1252 410 2252 205 Extension for reply within second month 1253 930 2253 465 Extension for reply within third month 1254 1,450 2254 725 Extension for reply within fourth month 1255 1,970 2255 985 Extension for reply within fifth month 1401 320 2401 160 Notice of Appeal 1402 320 2402 160 Filing a brief in support of an appeal 1403 280 2403 140 Request for oral hearing 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 55 Petition to revive - unavoidable 1453 1,300 2453 650 Petition to revive - unintentional 1501 1,300 2501 650 Utility issue fee (or reissue) 1502 470 2502 235 Design issue fee 1503 630 2503 315 Plant issue fee 1460 130 1460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR § 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Statement 8021 40 8021 40 Recording each patent assignment per property (times number of properties) 1809 750 2809 375 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 750 2810 375 For each additional invention to be examined (37 CFR § 1.129(b)) 1801 750 2801 375 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application	<b>Fee Paid</b>																																			
<b>FEE CALCULATION</b>																																						
<b>1. BASIC FILING FEE</b>																																						
<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>750</td> <td>2001</td> <td>375 Utility filing fee</td> <td><b>750.00</b></td> </tr> <tr> <td>1002</td> <td>330</td> <td>2002</td> <td>165 Design filing</td> <td></td> </tr> <tr> <td>1003</td> <td>520</td> <td>2003</td> <td>260 Plant filing fee</td> <td></td> </tr> <tr> <td>1004</td> <td>750</td> <td>2004</td> <td>375 Reissue filing</td> <td></td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80 Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3"></td> <td><b>SUBTOTAL (1)</b></td> <td><b>(\$)</b> <b>\$750.00</b></td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid	1001	750	2001	375 Utility filing fee	<b>750.00</b>	1002	330	2002	165 Design filing		1003	520	2003	260 Plant filing fee		1004	750	2004	375 Reissue filing		1005	160	2005	80 Provisional filing fee					<b>SUBTOTAL (1)</b>	<b>(\$)</b> <b>\$750.00</b>
Large Entity	Small Entity	Fee Code (\$)	Fee Description	Fee Paid																																		
1001	750	2001	375 Utility filing fee	<b>750.00</b>																																		
1002	330	2002	165 Design filing																																			
1003	520	2003	260 Plant filing fee																																			
1004	750	2004	375 Reissue filing																																			
1005	160	2005	80 Provisional filing fee																																			
			<b>SUBTOTAL (1)</b>	<b>(\$)</b> <b>\$750.00</b>																																		
<b>2. EXTRA CLAIM FEES FOR UTILITY AND</b>																																						
<table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>35 - 20** = 15</td> <td>X 18.00 = 270.00</td> <td></td> </tr> <tr> <td>18 - 3 ** = 15</td> <td>X 84.00 = 1,260.00</td> <td></td> </tr> <tr> <td colspan="3"></td> </tr> </tbody> </table>				Extra Claims	Fee from below	Fee Paid	35 - 20** = 15	X 18.00 = 270.00		18 - 3 ** = 15	X 84.00 = 1,260.00																											
Extra Claims	Fee from below	Fee Paid																																				
35 - 20** = 15	X 18.00 = 270.00																																					
18 - 3 ** = 15	X 84.00 = 1,260.00																																					
<b>Large Entity</b>   <b>Small Entity</b>																																						
<table border="1"> <thead> <tr> <th>Fee Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202 18</td> <td>2202 9 Claims in excess of 20</td> </tr> <tr> <td>1201 84</td> <td>2201 42 Independent claims in excess of 3</td> </tr> <tr> <td>1203 280</td> <td>2203 140 Multiple dependent claim, if not paid</td> </tr> <tr> <td>1204 84</td> <td>2204 42 ** Reissue independent claims over original patent</td> </tr> <tr> <td>1205 18</td> <td>2205 9 ** Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="3"></td> </tr> <tr> <td colspan="3"><b>SUBTOTAL (2)</b></td> <td><b>(\$)</b> <b>\$1,530.00</b></td> </tr> </tbody> </table>				Fee Code (\$)	Fee Description	1202 18	2202 9 Claims in excess of 20	1201 84	2201 42 Independent claims in excess of 3	1203 280	2203 140 Multiple dependent claim, if not paid	1204 84	2204 42 ** Reissue independent claims over original patent	1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent				<b>SUBTOTAL (2)</b>			<b>(\$)</b> <b>\$1,530.00</b>																
Fee Code (\$)	Fee Description																																					
1202 18	2202 9 Claims in excess of 20																																					
1201 84	2201 42 Independent claims in excess of 3																																					
1203 280	2203 140 Multiple dependent claim, if not paid																																					
1204 84	2204 42 ** Reissue independent claims over original patent																																					
1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent																																					
<b>SUBTOTAL (2)</b>			<b>(\$)</b> <b>\$1,530.00</b>																																			
**or number previously paid, if greater; For Reissues, see above																																						
*Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3)</b> <b>(\$)</b> <b>\$0.00</b>																																				

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>		
Name (Print/Type)	Carol M. Nielsen	Registration No. (Attorney/Agent)	37,676	Telephone 713-276-5383
Signature			Date	August 20, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.